

P-940: Advanced Course for Justices handling Commercial Matters August 27-30, 2015.		
1	Prog Coordinator	Ms. Shruti Jane Esuibius
2	No.of Participant	21
3	No. of forms received	16
<b>General Suggestion</b>		
1	<b>List out the five things you learnt for the first time due to your presence in the programme</b>	<p>1. 1. Takeover offers, substantial acquisition of shares, 2. Insider trading, fraud and manipulation in securities market.</p> <p>2. 1. Commercial disputes, including dispatch on design construction; 2. SEBI Power varying judicial review; 3. Commercial Court, Commercial Appellate Division under Commercial Courts Bill 2015; 4. Critical Analysis on the above Bill; 5. Carriage Act and allied commercial disputes</p> <p>3. 1. Environment, 2. Healthy Discussion; 3. Interaction among judges;</p> <p>4. Brotherhood; 5. Exposure on new challenges in commercial field in the wake of international trade and commerce- judicial perspective. 4. Broad based discussion and sharing of experience and knowledge.</p> <p>5. 1. Developments in Patent, Copyright and Trade Mark Laws in India after TRIPS agreement. 2. The Commercial Courts Bill 2015; 3. Complexities of Contractual obligations following economic liberalization.</p> <p>6. a. An insight into the functioning of the Stock exchange and insider trading frauds; b. an overview of the law of Patents, Design infringement, Trademarks. ; c. Computer operations ; d. the manner in which design building operation contracts are structured.; Different facets of the Carriage Act, Partnership Act, etc.</p> <p>7. Exposal Qua- 1., the cases under Stock Exchange Board of India Act; 2. Patent Act; 3. Trade Mark Act; 4. Partnership Act, 5. Commercial Courts Bill 2015</p> <p>8. 1. SEBI Laws; 2. IPR</p> <p>9. Checks and balance in SEBI; 2. Compulsory licensing in Pharmaceutical Patents; 3 Construction and infrastructure contracts; 4, Commercial Courts Bill</p>

		<p>2015</p> <p>10. 1. SEBI Act; 2. Importance of commercial matters in today's world; 3. Unregistered partnership can go for arbitration, 4. Division of contracts for Tax purposes; 5. Importance for such courses for education.</p> <p>11. 5 subjects were discussed on Commercial case problems. This is based on the resource persons simulation. The subjects were meaningful.</p> <p>12. 1. Investor protection and disclosure measures; 2. Takeover offers, Substantial acquisition of shares etc; 3. Insider trading, fraud and manipulation; 4. Compulsory licensing in Pharmaceutical patents; 5. Basic disputes under Carriage Act.</p> <p>13. Comment not provided</p> <p>14. I learnt a bit on dealing in shares and legal regime. Rest of the subjects are familiar to me.</p> <p>15. Heard about the critical analysis of Commercial Bill 2015; 2. Critical analysis of Arbitration and Conciliation Act 1996 along with Partnership Act; Role of SEBI in regulating the activities of Stock Exchange Market; 4. Relevance of Constitution of Commercial Bill- 2015 in the context of purpose of its constitution when similar matters are pending and on hence without embracing infrastructure whether the purpose will be achieved; 5. Design and Construction issues.</p> <p>16. About the Commercial Bill 2015 itself; ii. About the difference and distinction between the Contract Act, Arbitration Act and the Commercial Bill; iii. Various types of Contracts and the scope of judicial review.</p>
3	<p><b>List 5 subjects/areas of your concern that NJA must address through the second Advance Course to be held in January 16-23, 2016</b></p>	<p>1. 1. Speakers should be of more matured to make speech on the subject placed for discussion, so that the participants would benefit from such a discussion. 2. Subject of discussion should be such which should help in disposal of the matters pending in Courts; 3. Computer session may continue but library reading may be dropped; 4. Points on which consensus has been arrived be recorded. 5. International law can be included in such discussions.</p> <p>2.1. Insurance Matter under Commercial matter; 2. NI Act matter; 3. International Arbitration in commercial dispute. 4. Contractual obligation on High Stake commercial disputes; 5. Impact assessment of new statute with</p>

regard to commercial disputes.

3. 1. Sessions should be normally be presided over by mature well experienced personalities in subject of specification. 2. Address on Test of Law should be on need of litigation and its objects besides the Act used to cover up till now .3. Address should be more appreciated and circulated through power of hypothetical problems.4. Of course, Infrastructure of Courts to meet new challenges; 5. May also invite personalities from the fraternity of political and executive.

4. Practical oriented approach in the form of decided cases by various High Courts.

5. Respondent did not respond

6. 1. Send the material well in advance to the High Court. 2. Ensure that the subjects include in the second Advanced Course are different from those in the first advanced course. 3. Ensure the presence of a moderator in each session to avoid friction and unnecessary debate between the speaker and participants. 4. Ensure whether the programme is structure in a manner so as to avoid precious time being wasted (In the present session, the post 3.00 pm sessions set apart for Library reading and computer course has had very few takers and could have been utilized for additional lectures). 5. Identify experts in the field who do not have any personal agenda to explore and from whom the participants will have the opportunity to learn.

7. The emphasis should be to enlighten the Judges to tackle a given situation. Reading of Sections of various Acts and statutes should be avoided.

8. 1.Domestic and International Commercial Arbitration.2. Admiralty matters; 3. Insurance.

9. Competition Law, 2. Intellectual Property; 3. Company Law; 4. Telecom Law.

10. 1. Cyber Law, IT Act , 2. Environment Law

11. Same subjects are good. Besides any other subject as defined in the proposed Bill.

12. 1. Export or import merchandise or series; 2. Issues relating to admiralty

		<p>and maritime law; 3. Exploration of oil and gas reserves; 4. Contract of agency relating to commercial disputes; 5. Insurance.</p> <p>13. 1. Interruptions during the talk of the speakers; 2. Lack of explanations by the speakers about the general philosophy and basics and historical developments about the topic under issue.</p> <p>14. 1. Speakers should be mature enough to address the High Court judges. As far as possible, practicing lawyers should be avoided; 2. The method of course should be deliberated upon and it should not be case method alone; 3. The period of course should be condensed by saving the hours earmarked for library reading and computer training; 4. At the end of the courts the points on which consensus arrived shall be recorded; 5. Ecommerce and international law relating to commerce should be included in the course.</p> <p>15. Court Management; 2. Bonding details in Insurance matters; 3. Negotiable Instruments Act; 4. International Arbitration Matters; 5 Contractual Matters.</p> <p>16. Study material should be made available in advance; 2. The course must not be more than 2-3 days because the working of the High Court affects badly due to the paucity of judges; The discussions should be more on the chapters of the Commercial Bill 2015.</p> <p>16. Study materials must be made available in advance; 2. The course must not be more than 2-3 days because the working of the High Court affects badly given the paucity of judges; 3. The discussions should be more on the chapters of the Commercial Bill 2015.</p>
4	<p><b>List out five things that NJA should take care of</b></p>	<p>1.1. Air conditioning be taken care of; 2. Wifi provided; 3. Internet is to be also provide.</p> <p>2. Nothing. But programme may be for complete 2 days so much court work will be reduced.</p> <p>3. Everything is all right. Good luck.</p> <p>4. Facilities are good and to be put to maximum use. ; Wash room facility needs modification.</p> <p>5. Provide green tea sachets in rooms to those who want it instead of regular tea bags.; 2. Have a shoe polishing machine at the Reception to be kept at a convenient place. Have health faucets installed in the bathrooms.</p>

6. 1. Provide English TV channels for participants who are not familiar with English/Hindi; 2. Supply newspaper a little earlier in the rooms; 3. Provide WI-FI facility in the entire campus.

7. No comments.

8. Study material shall be sent sufficiently in advance; If possible please send full text of the judgment.

9. No comments

10. Air conditioner in rooms; 2. WIFI, 3. English channel on TV .

11. Improve Library reading material; Computer needs change; Internally use battery operated vehicles- avoid pollution.

12. No comments

13.1. Wi-Fi Connection; the reading sessions can be after lunch and then followed by the last lecture.

14. The air conditioning system in rooms should be improved; 2. English channels should be made available in television; 3. WiFi should be made available in the Campus; 5. Internet kiosks should be set up and made available to participants.

15. Nothing but the programme may be concised to two days considering the reason that large numbers of cases are pending in High Courts, and the court working day may not suffer .

16. The subjects which most of the High Courts face should be discussed and debated on rather than the disputes which dominate only the chartered High Court.

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1		Programme & Hospitality																Total mark.out of 80
2		Mark your satisfaction, ranging from 1(Very Poor), 2 (Poor), 3 (Fair enough), 4 (good), 5 (Excellent), for the following:																
3		No.of Participants																
3		No. of forms received																
Respondent No.		1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	Total mark.out of 80
Subject		Marks																
1.	Reading Material	2	5	5	4	4	3	5	4	4	3	3	3	3	2	5	4	59/80
2.	Travel	4	5	5	4	5	3	5	4	4	4	3	4	4	4	5	4	67/80
3.	Protocol	3	5	4	4	5	4	5	4	4	4	4	4	4	3	5	4	66/80
4.	Reception	3	5	4	4	5	4	4	4	4	4	4	4	4	3	5	3	64/80
5.	Cleanliness	4	5	5	4	5	4	4	4	4	4	4	4	4	4	5	3	67/80
6.	Comfort	4	4	5	3	5	4	4	4	4	4	3	4	4	4	5	3	64/80
7.	Food	5	5	5	3	5	4	4	4	4	4	5	4	4	5	4	4	69/80
8.	Hygiene	4	5	5	3	5	4	4	4	4	4	2	4	4	4	4	4	64/80
9.	Staff Behavior	4	5	4	3	5	4	4	4	4	4	4	4	4	4	5	3	65/80
10.	Hospitality	4	5	4	3	5	4	4	4	5	4	4	4	4	4	5	3	66/80

Prepared by Documentation/Communication & PR Unit of National Judicial Academy